

STATE MS.-DE SOTO CO.

FILED

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S03-2101

THE ESTATE OF ONA HARDEN DAVIS,  
GRANTORSBK 465 PG 446  
J.E. DAVIS CH. CLK.

WARRANTY

TO

DEED

WALGREEN CO., AN ILLINOIS CORPORATION,  
GRANTEES

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, The Estate of Ona Harden Davis, do hereby sell, convey, and warrant unto Walgreen Co., an Illinois Corporation, the land lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

Attached hereto

Subject to such state of facts as shown on subdivision plat recorded in Plat Book 1, Page 40, DeSoto County, Mississippi.

Subject to Right of Way to Mississippi Power & Light recorded in Book 25, Page 47; Book 41, Page 515; Book 50, Page 26, and Book 60, Page 6 all of record in the office of the Chancery Clerk of DeSoto County, Mississippi.

Subject to 60' building line on property frontage as shown on recorded plat.

The warranty in this deed is subject to rights of ways and easements for public roads and public utilities, to building, zoning, subdivision and health department regulations in effect in DeSoto County, Mississippi.

Pursuant to the Last Will and Testament of Ona Harden Davis and pursuant to a Decree Approving Sale of Real Estate In The Matter of The Estate of Ona Harden Davis, filed in Chancery Court Cause No. 01-6-902L the undersigned heirs do hereby execute this deed. A copy of said Decree is attached hereto as Exhibit "B".

Pursuant to a Decree Approving Sale of Real Estate In the Matter of The Conservatorship of Donald Scott Davis, filed in Chancery Court Cause No. 03-6-1021, the undersigned Charles Perry Davis, II as Conservator executes this deed for and on the behalf of Donald Scott Davis. A copy of said Decree is attached hereto as Exhibit "C".

Taxes for 2004 have been prorated, and possession is given with this deed.

Effective date of this Deed: February 20, 2004.

WITNESS signature(s), this the 19<sup>th</sup> day of February, 2004.

David R. Davis

DAVID R. DAVIS, individually

CLIFFORD P. DAVIS, individually

Kathryn A. Davis

KATHRYN A. DAVIS, individually

Malinda Davis Connell

MALINDA DAVIS CONNELL, individually

Virginia Davis Bridgewater

VIRGINIA DAVIS BRIDGEWATER, Individually

David R. Davis

DAVID R. DAVIS, Executor of the Estate Of Ona Harden Davis

Charles Perry Davis

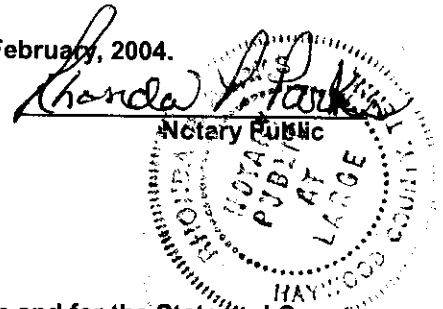
CHARLES PERRY DAVIS, II, Conservator For Donald Scott Davis In The Matter of The Conservatorship of Donald Scott Davis

STATE OF ~~MISSISSIPPI~~: Tennessee  
COUNTY OF ~~DESOTO~~: Haywood

PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named, David R. Davis, who acknowledged that he signed and delivered the above and foregoing Deed on the day and year therein mentioned, as his free act and deed, and for the purposed therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19<sup>th</sup> day of February, 2004.

My commission expires: 9-25-05



~~STATE OF MISSISSIPPI:~~  
~~COUNTY OF DESOTO:~~

~~PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named, Clifford P. Davis, who acknowledged that he signed and delivered the above and foregoing Deed on the day and year therein mentioned, as his free act and deed, and for the purposed therein expressed.~~

~~GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of February, 2004.~~

~~My commission expires:~~

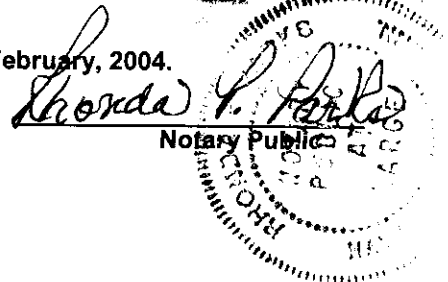
~~Notary Public~~

STATE OF Tennessee:  
COUNTY OF Haywood:

PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named, Kathryn A. Davis, who acknowledged that she signed and delivered the above and foregoing Deed on the day and year therein mentioned, as her free act and deed, and for the purposed therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19<sup>th</sup> day of February, 2004.

My commission expires: 9-25-05



BK 0465PG0448

WITNESS signature(s), this the 19<sup>th</sup> day of February, 2004.

DAVID R. DAVIS, individually

CLIFFORD P. DAVIS, individually

KATHRYN A. DAVIS, individually

MALINDA DAVIS CONNELL, individually

VIRGINIA DAVIS BRIDGEWATER,  
Individually

DAVID R. DAVIS, Executor of the Estate  
Of Ona Harden Davis

CHARLES PERRY DAVIS, II, Conservator  
For Donald Scott Davis In The Matter of  
The Conservatorship of Donald Scott  
Davis

~~STATE OF MISSISSIPPI:  
COUNTY OF DESOTO:~~

~~PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named, David R. Davis, who acknowledged that he signed and delivered the above and foregoing Deed on the day and year therein mentioned, as his free act and deed, and for the purposes therein expressed.~~

~~GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of February, 2004.~~

~~My commission expires:~~

~~Notary Public~~

~~STATE OF MISSISSIPPI:  
COUNTY OF DESOTO:~~

~~PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named, Clifford P. Davis, who acknowledged that he signed and delivered the above and foregoing Deed on the day and year therein mentioned, as his free act and deed, and for the purposes therein expressed.~~

~~GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19<sup>th</sup> day of February, 2004.~~

~~My commission expires:~~

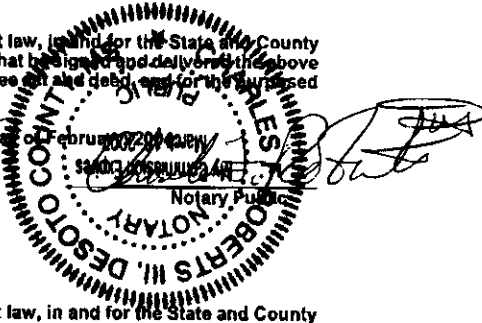
~~STATE OF Mississippi  
COUNTY OF Desoto:~~

~~PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named, Kathryn A. Davis, who acknowledged that she signed and delivered the above and foregoing Deed on the day and year therein mentioned, as her free act and deed, and for the purposes therein expressed.~~

~~GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of February, 2004.~~

~~My commission expires:~~

~~Notary Public~~



STATE OF Tennessee  
COUNTY OF Dawson

PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named, Malinda Davis Connell, who acknowledged that she signed and delivered the above and foregoing Deed on the day and year therein mentioned, as her free act and deed, and for the purposed therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19<sup>th</sup> day of February, 2004.

Patricia Lewis  
Notary Public

My commission expires: May 29, 2005

STATE OF Tennessee:  
COUNTY OF Haywood:

PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named, Virginia Davis Bridgewater, who acknowledged that she signed and delivered the above and foregoing Deed on the day and year therein mentioned, as her free act and deed, and for the purposed therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19<sup>th</sup> day of February, 2004.

Thonda P. Parks  
Notary Public

My commission expires: 9-25-05

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, David R. Davis, who acknowledged to me that he signed and delivered the foregoing instrument of writing, as Executor of The Estate of Ina Harden Davis, deceased, on the day and year and in the capacity therein set forth.

Given under my hand and official seal this the 19<sup>th</sup> day of February, 2004.

Thonda P. Parks  
Notary Public

My Commission Expires: 9-25-05

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Charles Perry Davis, II, who acknowledged to me that he signed and delivered the foregoing instrument of writing, as Conservator for Donald Scott Davis In the Matter of the Conservatorship of Donald Scott Davis, on the day and year and in the capacity therein set forth.

Given under my hand and official seal this the 19<sup>th</sup> day of February, 2004.

Thonda P. Parks  
Notary Public

My Commission Expires:

10-4-2005

Grantors Address:  
102 East Goodwyn  
Memphis, TN 38111-2514  
Home Phone Number: 901-323-3999  
Business Number: same

Grantees Address:  
850 Ridge Lake Blvd., Suite 340  
Memphis, TN 38120  
Home Phone Number: n/a  
Business Number: 847-914-3568

Prepared By:

Austin Law Firm, P.A.  
6928 Cobblestone Drive  
Suite 100  
Southaven, Mississippi 38672  
(662) 890-7575

## PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SECTION 23, TOWNSHIP 1 SOUTH, RANGE 8 WEST IN THE CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI, BEING A PART OF THAT PROPERTY TRANSFERRED UNTO C.P. DAVIS AND WIFE, ONA H. DAVIS BY WARRANTY DEEDS OF RECORD IN BOOK 55, PAGE 420 AND BOOK 58, PAGE 197 AT THE CHANCERY CLERK'S OFFICE OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A POINT IN THE CENTER OF STATELINE ROAD (80 FOOT RIGHT-OF-WAY) AT THE NORTHEAST CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 8 WEST (PER PLAT BOOK 37, PAGE 40); THENCE, WITH THE CENTER OF STATELINE ROAD, S89°56'34"W, A DISTANCE OF 196.41 FEET, TO A POINT; THENCE, LEAVING THE CENTER OF STATELINE ROAD, S00°03'26"E, A DISTANCE OF 40.00 FEET, TO A SET IRON PIN IN THE SOUTH RIGHT-OF-WAY LINE OF STATE LINE ROAD AT THE NORTHEAST CORNER OF LOT 1, WHITEHAVEN VILLAGE SUBDIVISION (PLAT BOOK 1, PAGE 40), SAID PIN BEING THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN; THENCE, ALONG THE ARC OF A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 44.10 FEET, A RADIUS OF 25.00 FEET, A DELTA ANGLE 101°04'49", AND A CHORD BEARING AND LENGTH OF S39°31'02"E, 38.60 FEET, TO A SET IRON PIN AT A POINT OF COMPOUND CURVATURE ON THE WEST RIGHT-OF-WAY LINE OF MILLBRANCH ROAD (50 FOOT RIGHT-OF-WAY) (25 FEET FROM CENTERLINE); THENCE, WITH THE WEST RIGHT-OF-WAY LINE OF MILLBRANCH ROAD ALONG THE ARC OF A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 124.12 FEET, A RADIUS OF 345.00 FEET, A DELTA ANGLE 20°36'47", AND A CHORD BEARING AND LENGTH OF S21°19'46"W, 123.45 FEET, TO A POINT OF REVERSE CURVATURE; THENCE, CONTINUING WITH SAID WEST RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 100.41 FEET, A RADIUS OF 270.00 FEET, A DELTA ANGLE 21°18'30", AND A CHORD BEARING AND LENGTH OF S20°58'55"W, 99.84 FEET, TO A SET IRON PIN AT THE NORTHEAST CORNER OF LOT 15 OF SAID WHITEHAVEN VILLAGE SUBDIVISION, SAID PIN ALSO BEING THE NORTHEAST CORNER OF THE ELAINE C. RICHTER PROPERTY (BOOK 348, PAGE 604); THENCE, WITH THE NORTH LINE OF RICHTER, S89°26'07"W, A DISTANCE OF 262.72 FEET, TO A POINT IN THE EAST LINE OF THE T & N PARTNERSHIP PROPERTY (BOOK 261, PAGE 131); THENCE, WITH THE EAST LINE OF T & N PARTNERSHIP, N00°22'51"W, A DISTANCE OF 240.26 FEET, TO A SET IRON PIN IN THE SOUTH RIGHT-OF-WAY LINE OF STATE LINE ROAD (40 FEET FROM CENTERLINE); THENCE, WITH THE SOUTH RIGHT-OF-WAY LINE OF STATE LINE ROAD, N89°56'34"E, A DISTANCE OF 320.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 73,790 SQUARE FEET OR 1.694 ACRES WITHIN THESE BOUNDS.

Exhibit A

## IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

IN THE MATTER OF THE ESTATE OF  
ONA HARDEN DAVIS, DECEASED

NO. 01-6-902L

## DECREE APPROVING SALE OF REAL ESTATE

THIS CAUSE CAME ON TO BE HEARD on the duly verified complaint of David R. Davis, Executor of the Estate of his mother Ona Harden Davis in the above cause and the Court finds as follows:

That ONA HARDEN DAVIS owned at the time her death, land in the City of Southaven, DeSoto County, Mississippi, described as follows to-wit:

Lot 1, Whitehaven Village Subdivision, in Section 23, Township 1 South, Range 8 West, as shown by the plat recorded in Plat Book 1, Page 10 in the Office of the Chancery Clerk of DeSoto County, Mississippi to which reference is made for a more particular description.

Lot 1 (1.694 acres) is described by Metes and Bounds in the Exhibit attached to the Complaint.

The above-described lot was part of the residuary Estate of the Decedent and the Will of the Decedent devised the residuary to her three (3) sons, DON, DAVID and CLIFFORD, and her daughter-in-law, SIDNEY DAVIS, to share equally with the added provision "If any of the three (3) sons or SIDNEY predeceases me, his/her share is to be divided among his/her children."

SIDNEY DAVIS died August 21, 2000, prior to the death of ONA HARDEN DAVIS who died June 1, 2001, so the  $\frac{1}{4}$  interest bequeathed to her under the terms of the Will went to her three (3) children, namely KATHRYN A. DAVIS, MALINDA DAVIS CONNELL

**FILED** and VIRGINIA DAVIS BRIDGEWATER.

JAN 28 2004

NE DAVIS, CLERK

The Notice to Creditors of the Estate was published first in the *DeSoto Times Today* on July 6, 2001, as shown by Proof of Publication on file and no claims were filed against the Estate. The Estate is solvent and owes no income, estate or inheritance taxes. The

Exhibit B

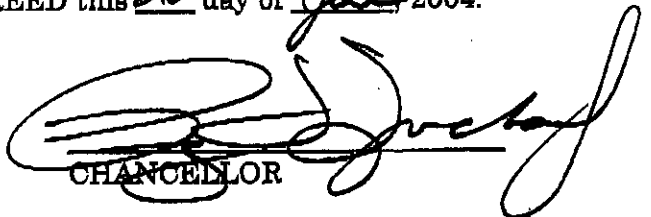
special bequests to the grandchildren in Item Two (2) of the Will have been paid. In the opinion of the Executor, \$90,000.00 of the sale funds should be set aside to fund support of Carol Anne Davis as provided in Item I of the Will of Ona Harden Davis.

The owners now hold vested title to the land according to their respective interests subject to the support provisions for Carol Anne Davis and the net proceeds of sale should be disbursed directly to the Executor.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the land described above subject to the support provisions for Carol Anne Davis is now vested in the devisees named in the Will as follows: Don S. Davis  $\frac{1}{4}$ , David R. Davis  $\frac{1}{4}$ , Clifford P. Davis  $\frac{1}{4}$ , and the children of Sidney Davis namely, Kathryn A. Davis, Malinda Davis Connell and Virginia Davis Bridgewater,  $\frac{1}{4}$  in salidito.

IT IS FURTHER ORDER, ADJUDGED AND DECREED that sale of the land be and the same as hereby approved with all of the net sale proceeds to be paid over directly to the Executor so the provisions in the Will with respect to support of Carol Anne Davis can be executed.

ORDERED, ADJUDGED AND DECREED this 28<sup>th</sup> day of Jan, 2004.

  
CHANCELLOR

Jpw davis approval of estate sale 05

STATE OF MISSISSIPPI, COUNTY OF DESOTO  
I HEREBY CERTIFY that the above and foregoing is  
a true copy of the original filed in this office.  
This the 28<sup>th</sup> day of Jan, 2004  
W.E. Davis, Clerk of the chancery court  
By D. Graham D.C.

## IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

IN THE MATTER OF  
THE CONSERVATORSHIP  
OF DONALD SCOTT DAVIS

CHARLES PERRY DAVIS, II,  
PETITIONER

)  
)  
)  
) CAUSE NO. 03-6-1021  
)  
)

DECREE APPROVING SALE OF REAL ESTATE

THIS CAUSE, came on this day to be heard on the Petition of Charles Perry Davis, II, Conservator over the Estate and Person of Donald Scott Davis, praying that this Court approve the sale of certain land owned by the Estate of Ona Hardin Davis, in which the Ward has a one-quarter (1/4) interest, and the Court having heard and considered said Petition and being fully advised in the premises finds the following:

1. That the Ward has a one-quarter (1/4) interest in the piece of real property that is part of the Ona Hardin Davis Estate. The Estate has a purchaser for the said real property and wishes to sell this property.

2. Petitioner desires to convey Donald Scott Davis' interest in this real property to H & H Realty, Inc. (Purchaser), and furthermore, desires to sell said property by having the Court authorize Charles Perry Davis, II, to sign, execute and deliver the original of a Warranty Deed on behalf of the Ward.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Charles Perry Davis, II is hereby authorized to sign, execute and deliver the original of a Warranty Deed to H & H Realty, Inc., upon receipt by the Estate of Ona Hardin Davis, the purchase price of Four Hundred Thousand and No/100ths Dollars (\$400,000.00); that

**FILED**  
FEB 02 2004  
WE DAVIS, CLERK

Exhibit C



said proceeds be properly be deposited into the Ward's bank account at First Security Bank of Hernando, Mississippi, and to be so deposited and used for the sole benefit of the Ward upon closing of the Estate of Ona Hardin Davis. It is further ordered, adjudged and decreed that upon the due execution and delivery of the Warranty Deed, the sale will become effective immediately without further confirmation of the sale by this Court.

SO ORDERED, ADJUGED AND DECREED this the 2nd, day of February, 2004.

  
CHANCELLOR

APPROVED FOR ENTRY:

  
PHILIP A. STROUD (MS Bar #99401)  
Attorney for Petitioner

OF COUNSEL:

**STROUD & HARPER, P.C.**  
Post Office Box 210  
Southaven, MS 38671  
(662) 536-5656

STATE OF MISSISSIPPI, COUNTY OF DESOTO  
I HEREBY CERTIFY that the above and foregoing is  
a true copy of the original filed in this office.  
This the 2nd day of Feb, 2004  
W. E. Davis, Clerk of the chancery court  
By S. Patricia D.C.